

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ZACHARY R. ECHLIN,) **COMPLAINT;**
Plaintiff,)
vs.) FAIR DEBT COLLECTION PRACTICES
QUICK COLLECT INC,) ACT (15 U.S.C. § 1692a, *et seq.*);
Defendant.) DEMAND FOR JURY TRIAL
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I. INTRODUCTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the federal Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter "FDCPA").

II. JURISDICTION

2. Plaintiff's claim for violations of the FDCPA arises under 15 U.S.C. § 1692k(d), and therefore involves a "federal question" pursuant to 28 U.S.C. § 1331.

III. PARTIES

3. Plaintiff, Zachary R. Echlin (“Plaintiff”), is a natural person residing in Clark County, Washington.

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1 4. Defendant, Quick Collect, Inc. (“Defendant”), is a corporation engaged in the
2 business of collecting debts by use of the mails and telephone. Defendant regularly attempts to
3 collect debts alleged due another.
4

5 **IV. FACTUAL ALLEGATIONS**

6 5. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. § 1692a(6).

7 6. Plaintiff is a “consumer” as defined by the FDCPA, 15 U.S.C. § 1692a(3).

8 7. All activities of Defendant set out herein were undertaken in connection with the
9 collection of a “debt,” as defined by 15 U.S.C. § 1692a(5).
10

11 8. Within the last year, Defendant took multiple actions in an attempt to collect a debt
12 from Plaintiff. Defendant’s conduct violated the FDCPA in multiple ways, including the following.

13 9. Attempting to collect an amount from Plaintiff that is not permitted by law,
14 including attempting to collect excessive interest (§ 1692f(1)).
15

16 10. Falsely representing the character, amount or legal status of a debt, including falsely
17 representing the amount of interest on an account (§ 1692e(2)(A)).
18

19 11. As a result of the aforementioned violations, Plaintiff suffered and continues to
20 suffer injuries to Plaintiff’s feelings, personal humiliation, embarrassment, mental anguish and
21 severe emotional distress.
22

23 12. Defendant intended to cause, by means of the actions detailed above, injuries to
24 Plaintiff’s feelings, personal humiliation, embarrassment, mental anguish and severe emotional
25 distress.
26

27 13. Defendant’s actions, detailed above, were undertaken with extraordinary disregard
28 of, or indifference to, known or highly probable risks to purported debtors.
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30 14. To the extent Defendant’s actions, detailed in paragraphs 8-15, were carried out by
31

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1 an employee of Defendant, that employee was acting within the scope of his or her employment.

2 **COUNT I: VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT**

3 15. Plaintiff reincorporates by reference all of the preceding paragraphs.

4 16. The preceding paragraphs state a *prima facie* case for Plaintiff and against
5 Defendant for violations of the FDCPA.

6 **PRAYER FOR RELIEF**

7 WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant
8 for the following:

9 A. Declaratory judgment that Defendant's conduct violated the FDCPA;
10 B. Actual damages pursuant to 15 U.S.C. 1692k;
11 C. Statutory damages pursuant to 15 U.S.C. § 1692k;
12 D. Costs, disbursements and reasonable attorney's fees for all successful claims, and
13 any unsuccessful claims arising out of the same transaction or occurrence as the successful claims,
14 pursuant to 15 U.S.C. § 1692k; and,
15
16 E. For such other and further relief as may be just and proper.

17 **PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**

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23 Dated this 29th day of October, 2015.

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25 By: s/Joshua Trigsted
26 Joshua Trigsted, WSB#42917
27 Attorney for Plaintiff
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